



PATENT
Attorney Docket No. 056100-5027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Se-Jin LEE)
Appln. No. 08/966,233)
Filed: November 7, 1997)
FOR: GDF-1 GENE)

Group Art Unit: 1631
Examiner: M. P. Allen

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AMENDMENT UNDER 37 CFR § 1.111

SIR:

Responsive to the Office Action (Paper No. 58) mailed February 11, 2002, entry and consideration of the following remarks are respectfully requested.

REMARKS

This Reply is submitted in response to the Office Action dated February 11, 2002. Entry of the Remarks made herein and reconsideration of the claimed subject matter is respectfully requested pursuant to 37 CFR § 1.112.

Claims 3, 11-15, 22, and 24-42 were rejected under 35 U.S.C. § 101 as allegedly lacking a specific, substantial and credible utility or a well-established utility. In addition, a corresponding rejection has been made under the enablement provision of first paragraph of § 112, because one skilled in the art would allegedly not know how to use the claimed invention due to the alleged lack of utility. Applicants respectfully traverse these rejections.

Applicants maintain their arguments of record with regard to the utilities disputed thus far. The Examiner has dismissed the noted homology of GDF-1 proteins to the TGF-beta superfamily as failing to provide the requisite utility, because "some TGF superfamily members have diverse

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